

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

IN RE: NEW ENGLAND COMPOUNDING)
PHARMACY, INC.)
PRODUCTS LIABILITY LITIGATION) MDL: No.:
_____) Dkt. No 1:13-md-2419 (RWZ)
_____)
This Document Relates to:)
_____)
All Cases Naming the STOPNC Defendants.)

**THE STOPNC DEFENDANTS' RESPONSE TO THE PSC'S MOTION FOR LEAVE TO
FILE MOTION FOR PARTIAL SUMMARY JUDGMENT [DOC. 2862]**

Saint Thomas Outpatient Neurosurgical Center, LLC ("STOPNC"), Howell Allen Clinic, a Professional Corporation ("Howell Allen"), John W. Culclasure, M.D. ("Dr. Culclasure"), and Debra V. Schamberg, R.N. ("Ms. Schamberg") (collectively "the STOPNC Defendants") do not oppose the PSC's motion simply requesting leave to file a motion for summary judgment [Doc. 2862], based on the timing and posture of this case, as well as the facts that have been developed. In fact, the STOPNC Defendants are likewise seeking leave to file a variety of motions for summary judgment.

However, the STOPNC Defendants do oppose the arguments in the PSC's underlying motion for summary judgment, and will present a timely, substantive response and countervailing proof in opposition to that motion.

Respectfully submitted,

GIDEON, COOPER & ESSARY, PLC

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* Admitted pursuant to MDL Order No. 1.

** Admitted *pro hac vice*.

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the CM/ECF system will be served electronically to the registered participants identified on the Notice of Electronic Filing and copies will be e-mailed or mailed via regular U.S. mail to those participants identified as unregistered this 13th day of May, 2016.

/s/ Chris J. Tardio

Chris J. Tardio